

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

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REBECCA TERRY,

Plaintiff,

v.

Case No. 17-CV-1112

COUNTY OF MILWAUKEE, *et al.*,

Defendants.

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**DECLARATION OF DEBRA BURMEISTER**

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STATE OF WISCONSIN     )  
                                      ) ss:  
MILWAUKEE COUNTY     )

I, Debra Burmeister, declare as follows pursuant to 28 U.S.C. § 1746:

1. I am a Captain with the Milwaukee County Sheriff's Office. My current assignment is Captain in the Law Enforcement Analytic Division.

2. The Milwaukee County Sheriff's Office maintains a database of grievances filed by inmates at the Milwaukee County Jail.

3. I was asked by the County Defendants' counsel in this matter to query the database for references to "cuffs" and "restraints" for the period of 2009 to 2015. The results of the query are attached as Exhibit 1.

Pursuant to 28 U.S.C. § 1746 I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 31<sup>st</sup> day of August, 2018.

*/s/ Debra Burmeister*

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Debra Burmeister

**1**

## Report regarding hand cuffs and restraints

Date	ILName	IFName	CJISNo	Bkg No	Dorm/PO	Be
Grievance Written						

7/25/2011					4A	02
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Inmate [REDACTED] states that Lt. Sadowski is "power happy". (Most of Grievance is unreadable.) She mentions her maximum security that was supposed to be for two months, but she only got 90 days in maximum security. She states that if he was really scared of her, he would have put cuffs on her when she was in the infirmary.(??)

Solution Inmate released from custody.

Comment

10/5/2011					4B	25
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Inmate [REDACTED] stated that in March of 2011, he turned in multiple grievances to Lt. Tricia Carlson, regarding the unsanitary conditions of his cell, the day room , having to shower with rip restraints, etc.. Upon returning to Green Bay Correctional Institution on April 20, 2011, he noticed that Lt. Tricia Carlson placed all of his grievances into his property, and did not turn them in.

Solution

Comment

12/9/2011					4D	04
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inmate is complaining of waist restraint watch.

Solution Because of your actions on Monday Dec. 5th when you were actively resisiting our officers refusing to give up your mattress, not complying with our direct orders, and making threats to our officers, The Deputy inspector ordered you to be in a restraint watch. This is not uncommon and is not hazordous to your health. In the future if you cooperate with our officers this will not have to happen. Thank You.

Comment

1/9/2012					SN	02
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INMATE WAS UPSET ABOUT BEING TAKEN TO COURT WITH SPECIAL RESTRAINTS

Solution you are transported in the manner that is appropriate for the safety and security of staff, and public.

Comment

**CONFIDENTIAL - ATTORNEYS' EYES ONLY**

Date	ILName	IFName	CJISNo	Bkg No	Dorm/PO	Be
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Grievance  
Written

4/28/2012					BKG	57
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Inmate states that he was handcuffed to the pre-book bench unlawfully, and it caused him emotional, mental, and physical injury. Inmate then states that he was held in those restraints for more than 48 hours.

**Solution** It is the policy and procedure of the MCSO that all inmates be secured to the pre-book bench when they arrive at the CCFC. When you were secured to the bench, the medical staff in the pre-book area medically screened you and accepted you into the CCFC. It is policy and procedure of the MCSO that all inmates that come into the CCFC be placed in a housing unit within 10 hours. Therefore, you were not handcuffed for over 48 hours, and you were moved from the booking room the same night you arrived, as our county records show, and you were medically cleared of any injury, per the medical staff.

**Comment**

7/3/2012					4D	11
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Inmate states that he was on restraint watch for five days. He feels that this practice is illegal.

**Solution** This inmate was not on any type of restraint watch under this booking number. CO Bronson states that he was upset with the last time he was incarcerated. He was placed on restraint watch during his incarceration in 2011 for pulling multiple sprinkler heads and assaulting staff multiple times.

**Comment**

6/24/2013					SN	08
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Complaining that Officers are putting hands on when entering his cell and about being in restraints for 48 Hours.

**Solution** You need to comply with the rules and regulations of this facility and Officers will not have to enter your cell for non-compliance. You wont be put in restraints if you follow the Institutions rules. Don't put yourself in that situation.

**Comment**

8/9/2013					4A	30
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Claims her waist restraint was to tight and that the Officer would not look up her case for her.

**Solution** I looked up your case, nothing has currently changed. This is not a grievable issue if the Officers don't look up an inmates case. A request could be sent to records. The waist restraint are suppose to be snug when placed on.

**Comment**

8/18/2013					4B	23
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Inmate states when he was in 4D, he was forced to shower in restraints and handcuffs

**Solution** Per policy and procedure, all inmates that are housed in 4D a disciplinary unit, will have restraints placed on them. No exceptions.

**Comment**

**CONFIDENTIAL - ATTORNEYS' EYES ONLY**

Date Grievance Written	ILName	IFName	CJISNo	Bkg No	Dorm/PO	Be
9/4/2013					6D	21
Claims while being transported on a clinic run, G4S officer Boggs had the handcuffs so tight that she apparently broke skin. And was not concerned about the situation. She just continued to play on her phone.						
Solution	Thank You for advising me of that situation. I will speak to the G4S Supervisor about this. Unfortunately you are incarcerated and don't have that option on who may escort you in the future. If you have any other problems stemming from this please feel free to advise me.					
Comment						
2/9/2014					4D	13
Inmate claims that he has a fractured hand and does not want to be placed into handcuffs or restraints.						
Solution	Inmate has been seen by medical staff and no injuries present. Inmate is a MAX status inmate and must be placed into restraints when out on his time out for discipline purposes.					
Comment						
2/23/2014					4D	17
Inmate claims that he should not have to be placed into a restraint belt when out on his time out.						
Solution	Inmate is currently housed in housing 4D (disciplinary) on Max status. Per policy all inmates on their time out must be placed into a ripp restraint belt at all times.					
Comment						
3/16/2014					4D	17
Inmate feels that while on Max status he should not have to be placed into a ripp restraint belt for his time out.						
Solution	Per policy any inmate on Max or discipline status must be placed into a ripp restraint belt any time they are outside of their cell for any reason.					
Comment						
6/20/2014					4B	01
Inmate states that Officer Spicer Moore would not allow him out for his 1 hour recreation because he was going to place handcuffs on him where 98% of body is burned and have no hands.						
Solution	That issue will be addressed with Officer Spicer Moore. Per our policy, all inmates have to be placed in Ripp restraint belt before leaving out of the cell. I was told that you are placed in a wheelchair. Therefore you are allowed out for 1 hour rec.					
Comment						
8/5/2014					5D	12
Inmate states that he should not be in handcuffs during his revocation hearing because this prevents him from taking part in the process.						
Solution	For safety and security reasons all inmates are to be in a ripp restraint belt for his or her revocation hearings.					
Comment						

**CONFIDENTIAL - ATTORNEYS' EYES ONLY**

Date Grievance Written	ILName	IFName	CJISNo	Bkg No	Dorm/PO	Be
9/11/2014	██████	██████		██████	3B	39
Inmate states that the doctor at Kettle Moraine Correctional states he is only supposed to be transported in soft restraints due to an injury to his wrist and the handcuffs that were placed on him were too tight.						
Solution	Per policy, we do not transport inmates with soft restraints, only transportation restraints. Also, the handcuffs need to be snug on an inmate as to prevent an escape or other issue that might happen. Officers check the snugness of the restraints to ensure that they are not too tight after they have been applied to an inmates wrist.					
Comment						
11/4/2014	██████	██████		██████	4D	22
Inmate states that he should not have to be placed in a ripp restraint belt while taking a shower and that is violating his rights.						
Solution	Any inmate on discipline status will be placed into a shower ripp restraint belt if he or she will be taking a shower during their time out.					
Comment						
2/9/2015	██████████████			██████	4D	40
Inmate states that while in 4D he and other inmates are being placed into ripp restraint belts instead of shower restraints when taking a shower.						
Solution	When the officers are letting you out for your time out you need to tell them you are going to be taking a shower at that time.					
Comment						
4/19/2015	██████████████			██████	3A	47
Inmate states that G4S used small handcuffs on him causing his wrists to hurt. G4S didn't let him use the bathroom right away in DCI and while driving drove over all the pot holes and bumps on purpose.						
Solution	G4S uses handcuffs that are all the same size. When in DCI or any other area permission must be given to have inmates use that facilities bathrooms. G4S would not purposely hit pot holes.					
Comment						
6/6/2015	██████	██████		██████	4D	35
Inmate states he was refused a shower because he would not wear the shower restraints.						
Solution	Any inmate on discipline status who wishes to take a shower must wear shower restraints per jail policy. This is not a grievable issue.					
Comment						
6/8/2015	██████	██████		██████	4D	35
Inmate wants to see the MCJ policy where he has to wear a shower restraint belt when taking a shower.						
Solution	The 4D rules are posted in 4D. For all jail policies you will have to go through open records to receive them. This is not a grievable issue.					
Comment						